

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

WAYNE COLE JOHNSON,

Civil No. 06-157 (JRT/JSM)

Plaintiff,

v.

**ORDER ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

ROBERT FENEIS,

Defendant.

Charles L. Hawkins, **LAW OFFICES OF CHARLES L. HAWKINS**,
150 South Fifth Street, Suite 3260, Minneapolis, MN 55402, for plaintiff.

Kimberly R. Parker, **OFFICE OF THE MINNESOTA ATTORNEY
GENERAL**, 445 Minnesota Street, Suite 1800, St Paul, MN 55101, for
defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated January 18, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED that Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [Docket No. 1] is **DENIED** and this action is dismissed with prejudice.

DATED: February 12, 2008
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge